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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,825	07/28/2003	Ramabadran S. Raghavan	LUCW:0002	3721
7590	10/05/2006		EXAMINER	
Michael G. Fletcher Fletcher Yoder P.O. Box 692289 Houston, TX 77269-2289			FERGUSON, KEITH	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/628,825	RAGHAVAN ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Keith T. Ferguson	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 29 August 2006.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-31 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-31 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

## DETAILED ACTION

1. The previous office action was issued in error, as this case is not subjected to accelerated examination. The period for response has been restarted with the mailing of the current office action.
2. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8,12,15-18,21-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view of Lee.

Regarding claims 1-8,12, Chen et al. discloses a wireless IP network communications system (fig. 1) comprising at least one transceiver unit (base station)(tower)(structured transceiver)(building) adapted to communicate over an air interface (fig. 2 number 208) with portable communications (devices mobile station)(portable device) (cellular telephone)(paragraph 0022 lines 1-8) and adapted to communicate over an undedicated public network (internet IP network)(service network) (fig. 1 number 108, fig. 6 number 604 and paragraph 0039); and a group call server (access network unit) adapted to communicate with the at least one transceiver unit over the public network (internet IP network) (paragraph 0019 lines 1-11 and paragraph 0039 line 1 through paragraph 0050 line 6). Chen et al. differs from claim 1 of the present invention in that it does not disclose wherein both the access network unit and the transceiver unit are configured to be directly couple to the undedicated public network. Lee teaches a wireless internet communication system (fig. 1) comprising a wireless base station (access network unit) with transceiver antenna (transceiver unit) (fig. 1 number 22) in two way communication with a dedicated device (fig. 1 number 10) and in communication with a wireless internet network (fig. 1 number 20 and P:0014 lines 1-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chen et al. with wherein both the access network unit and the transceiver unit are configured to be directly couple to the undedicated public network in order for the wireless IP network system to

save communication resources by eliminating communication components or communication links/routs which would allow the network to quickly receive a multimedia group call session request from a group of target communication devices and quickly deliver the multimedia group call session to the target communication devices, as taught by Lee.

Regarding claims 15 and 22, Chen et al. discloses a group call server (access network unit) (fig. 1 number 102) for use with a wireless IP network communications system (fig. 1), the access network unit comprising a communication interface (forward dedicated channel or forward shared channel (fig. 1) to facilitate communication between the access network unit (fig. 1 number 102) and at least one transceiver unit (paragraph 0019 lines 1-11 and paragraph 0039 line 1 through paragraph 0050 line 6) over an undedicated public network (IP network)(internet) (fig. 1 number 108). Chen et al. differs from claim 15 of the present invention in that it does not disclose the transceiver unit is configured to be directly couple to the undedicated public network. Lee teaches a wireless internet communication system (fig. 1) comprising a wireless base station with antenna (transceiver unit)(fig. 1 number 22) in two way communication with a dedicated device (fig. 1 number 10) and in communication with a wireless internet network (fig. 1 number 20 and P:0014 lines 1-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chen et al. with the transceiver unit is configured to be directly couple to the undedicated public network in order for the group call server to allow the communication devices to register for group call communication and quickly deliver the multimedia group call session to the target communication devices over a shorter distance without additional communication links, as taught by Lee.

Regarding claims 16-18, Chen et al. discloses a session initiation protocol (SIP) (paragraph 0020) and an IP address of the at least one transceiver unit (paragraph 0020).

Regarding claim 21, Chen et al. discloses one protocol layer encapsulates User datagram protocol (UPD) (higher layer protocol information) to facilitate protocol requirements of the public network (paragraph 0020).

Regarding claim 23, Chen et al. discloses a transceiver server (BSC)(fig. 1 number 110) adapted to communicate with the at least one transceiver unit (fig. 1 number 104) over the IP network (public network) (fig. 1 number 108); and a packet control function (PCF)(fig. 1 number

112)(access network controller) adapted to communicate with the (BSC)(transceiver server)(fig. 1 number 110) and with a packet data network (PDSN) (services network) (fig. 1 number 106).

Regarding claims 24-27, Chen et al. discloses a SIP (one protocol layer) between the transceiver server and the access network controller (paragraph 0019 through paragraph 0020).

Regarding claims 28 and 29, Chen et al. discloses a method (fig. 6) of communicating in a wireless communications system (fig. 1), the method comprising the act of: communicating information over an IP Network (internet)(undedicated public network) between at least one transceiver unit (base station) which is adapted to communicate over an air interface with portable communications devices (paragraph 0019 line 1 through paragraph 0022 line 6), and group call server (access network unit)(fig. 1 number 106)(paragraph 0019 lines 1-3), which is adapted to process information communicated with the at least one transceiver unit (paragraph 0018 line 1 though paragraph 0019 line 3 and paragraph 0042 through paragraph 0043). Chen et al. differs from claim 28 of the present invention in that it does not disclose the transceiver unit is directly couple to the undedicated public network. Lee teaches a wireless internet communication system (fig. 1) comprising a wireless base station with antenna unit (transceiver unit) (fig. 1 number 22) in two way communication with a dedicated device (fig. 1 number 10) and in communication with a wireless internet network (fig. 1 number 20 the transceiver unit is configured to be directly couple to the undedicated public network). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chen et al. with the transceiver unit is directly couple to the undedicated public network in order for the wireless IP network system to save communication resources by eliminating communication components or communication links which would allow the network to quickly receive a multimedia group call session request from a group of target communication devices and quickly deliver the multimedia group call session to the target communication devices, as taught by Lee.

Regarding claim 30, Chen et al. discloses a session initiation protocol (SIP) (protocol layer) adapted to facilitate communication over the public network (paragraph 0020).

Regarding claim 31, Chen et al. discloses a Base station controller (fig. 1 number 110).

5. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view Lee as applied to claims 1 and 7 above and in further view of Yuhara et al..

Regarding claim 9, the combination of Chen et al. and Lee differs from claim 9 of the present invention in that they do not disclose a vehicle having at least one of a mobile telephone

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and a navigation system. Yuhara et al. teaches a vehicle having a cellular telephone and a GPS navigation system (paragraph 0034 and paragraph 0047). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Chen et al. and Lee with a vehicle having at least one of a mobile telephone and a navigation system in order for communication system to provide navigational group call directions to the wireless mobile stations so that the wireless communication stations to have a plan rout to a group meeting destination, as taught by Yuhara et al..

Regarding claim 11, the combination of Chen et al. and Lee differs from claim 11 of the present invention in that they do not disclose a satellite system adapted to facilitate communications between the at least one transceiver unit and the access network unit. Yuhara et al. teaches a satellite system adapted to facilitate communications between a satellite transmitter and a server (fig. 3 numbers 308,310 and 302). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Chen et al. and Lee with a satellite system adapted to facilitate communications between the at least one transceiver unit and the access network unit in order to provide communication system to provide a data group call session over a very large area, as taught by Yuhara et al..

6. Claims 10,13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view Lee as applied to claims 1 and 7 above and in further view of Chang et al..

Regarding claim 10, the combination of Chen et al. and Lee differs from claim 10 of the present invention in that they do not disclose the portable communications device comprises a computer having a wireless modem. Chang et al. teaches a system comprising a mobile station (computer) having a modem (col. 1 lines 40-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Chen et al. and Lee with the portable communications device comprises a computer having a wireless modem in order for the system to provide the communication devices that are notebook computers a group call data session using the internet, as taught by Chang et al..

Regarding claims 13 and 14, the combination of Chen et al. and Lee differs from claims 13 and 14 of the present invention in that they do not disclose the services network comprises a mobile switching center or a publicly switched telephone network. Chang et al. teaches a services network (mobile switching center) and a publicly switched telephone network (PSTN) (fig. 2 number 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Chen et al. and Lee with the services network comprises a mobile switching center or a publicly switched telephone network in order for the system to provide a voice over data internet group call session to the wireless devices, as taught by Chang et al..

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7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view of Lee as applied to claims 15 and 16 above and in further view of Zhigang.

Regarding claim 19, the combination of Chen et al. and Lee differs from claim 19 of the present invention in that they do not disclose the protocol layer provides security information to the at least one transceiver unit to facilitate secure communication over the public network. Zhigang teaches a Transport layer security which provides security within a mobile station transport connection (paragraph 0036). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Chen et al. and Lee with the protocol layer provides security information to the at least one transceiver unit to facilitate secure communication over the public network in order for the base station controller to provide a secure link to the mobile station when an internet group call session is requested, as taught by Zhigang.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view of Lee as applied to claims 15 and 16 above and in further view of Ahmed et al..

Regarding claim 20, the combination of Chen et al. and Lee differs from claim 20 of the present invention in that they do not disclose the protocol layer negotiates quality of service for communications with the at least one transceiver unit over the public network. Ahmed et al. teaches a Mac Layer protocol negotiates quality of service for resources during a call in a mobile environment (paragraph 0048). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Chen et al. and Lee with the protocol layer negotiates quality of service for communications with the at least one transceiver unit over the public network in order for the base station controller to set up a data group call session with the IP network when reliable communication is needed, as taught by Ahmed et al..

### ***Conclusion***

### ***Response to Arguments***

9. Applicant's arguments filed August 29, 2006 have been fully considered but they are not deemed to be persuasive. The following are explanations to the applicant arguments:

10. Argument: Regarding claims 1, 15 and 28, applicant alleges that there is no teaching or motivation to combine Chen et al. and Lee.

Explanation: Examiner respectfully disagrees, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teaching of the prior art to produce the claimed

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invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. It is not necessary that the reference actually suggest, expressly or in so many words the changes or improvements that applicants has made. The test for combine references is what the references as a whole would have suggested to one of ordinary skill in the art. Claim 1, for example, Chen et al. discloses a wireless IP network communications system (fig. 1) comprising at least one transceiver unit (base station)(tower)(structured transceiver)(building) adapted to communicate over an air interface (fig. 2 number 208) with portable communications (devices mobile station)(portable device) (cellular telephone)(paragraph 0022 lines 1-8) and adapted to communicate over an undedicated public network (internet IP network)(service network) (fig. 1 number 108, fig. 6 number 604 and paragraph 0039); and a group call server (access network unit) adapted to communicate with the at least one transceiver unit over the public network (internet IP network) (paragraph 0019 lines 1-11 and paragraph 0039 line 1 through paragraph 0050 line 6). Lee teaches a wireless internet communication system (fig. 1) comprising a wireless base station (access network unit) with transceiver antenna (transceiver unit) (fig. 1 number 22) in two way communication with a dedicated device (fig. 1 number 10) and in communication with a wireless internet network (fig. 1 number 20 and P:0014 lines 1-13). The motivation to combine Chen et al. and Lee is for the wireless IP network system to save communication resources by eliminating the BSC/PCF and PDSN (i.e. a point to point wireless connection) which would allow the network to quickly receive a multimedia group call session request from a group of target communication devices and quickly deliver the multimedia group call session to the target communication devices.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kotzin et al. (U.S. Pub: 2004/0009774) discloses a base station (remote access unit) connected to a transceiver (fig. 1 number 14) in communication with a subscriber station (fig. 1 number 12) over an internet network (fig. 1 number 10).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Keith Ferguson  
Art Unit 2617  
September 28, 2006

KEITH FERGUSON  
PRIMARY EXAMINER  
